THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No: 301 of 2006

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DATED: 05.01.2006

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Between:

Thota Achema @ Annapurnamma

… PETITIONER

AND

The Special Officer & Competent

Authority, Urban Land Ceiling,

5/2, Arundelpet, Guntur.

… RESPONDENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 301 of 2006

ORDER:-

This writ petition is filed to direct the respondent to consider the petitioner's claim petition, dated 24.11.2005, by passing appropriate orders under Section 8(4) of the Act in ULC.No.35/79/C in the light of the instructions and guidelines in r.No.3/1/97, dated 21.05.1997, issued by the Government of India.

The petitioner submits that she is the daughter of late Dasari Sambaiah, who filed a declaration under Section 6(1) of the Urban Land (Ceiling & Regulation) Act (for short "the Act") in ULC.No.375/79/C during his lifetime. It is stated that a final statement, dated 25.0.1980, was issued by the respondent stating that excess lands have been taken over as per the Act, without considering the claim of the major unmarried daughter as on the notified date. It is stated that the petitioner filed a representation, dated 10.10.2005, but the same has been returned stating that orders under Section 8(4) of the Act was not at all issued in the above matter. However, revised final statement under Section 9 of the Act was issued on 19.12.1991, but the same was returned un-served with an endorsement that the declarant Sri Dasari Sambaiah died. Hence, final statement under Section 9 of the Act was served upon the petitioner, which is evident from the proceedings of the 1st respondent in UIC.No.375/79/C, dated 17.11.2005.

If that be so, the petitioner can question the said final statement issued under Section 9 of the Act in accordance with law either by filing objections or by filing an appeal. It is stated that pursuant to the said proceedings, dated 17.11.2005, petitioner filed a claim petition, dated 24.11.2005, but the same has not been considered so far.

Having regard to the facts and circumstances of the case, the respondent is directed to consider and dispose of the claim petition, dated 24.11.2005, filed by the petitioner, as expeditiously as possible, in accordance with law.

With the direction indicated above, the writ petition is disposed of. No cost.

05.01.2006

Note:- Issue CC in three days.

B/o.

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